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December 21, 2022

Via ECF

The Honorable Valerie E. Caproni, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Bachan v. Genuine Parts Company*
Case No. 1:22-cv-07674

Dear Judge Caproni:

We represent the Plaintiff in the above-referenced matter. We write jointly with counsel for Defendant pursuant to the Court's Order of November 9, 2022 [ECF 9], which referred this matter to mediation to facilitate potential resolution. The Parties are requesting that any settlement or mediation conference in this matter be deferred until after a decision on Defendant's anticipated Motion to Compel Arbitration of Plaintiff's individual claims and dismiss class/collective claims.

Counsel for both parties met with the Court appointed mediator Chris McDonald. After these preliminary discussions with our mediator, it became clear that the disputed Arbitration Agreement would be an impediment against any successful mediation. Mr. McDonald recommends, and both Parties agree, that any mediation on this matter should be deferred until after a decision has been rendered on Defendant's anticipated Motion to Compel Arbitration of Plaintiff's individual claims and dismiss class/collective claims.

To that end, the Parties propose the below briefing schedule:

- Defendant to file a Motion to Dismiss/Compel Arbitration or Answer on or before January 20, 2023;
- Plaintiff to file an opposition to a Motion to Dismiss/Compel Arbitration on or before February 3, 2023; and
- Defendant to file a Reply on or before February 10, 2023.

In addition to the above briefing schedule, Defendant requests, and Plaintiff consents, to a stay of discovery until after the Court renders a decision regarding arbitration and dismissal.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/ C.K. Lee
C.K. Lee, Esq.